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EMC CORPORATION
OFFICE OF THE GENERAL COUNSEL
176 SOUTH STREET
HOPKINTON, MA 01748

In re Application of: SHAGAM, et al.
Application No. 09/599,229
Attorney Docket No.: EMC-99-167
Filed: June 22, 2000
For: SYSTEM AND METHOD FOR
REDUCING BANDWIDTH CONSUMED BY
LOOPING MESSAGE PACKETS IN LOCAL
AREA NETWORK

DECISION ON PETITION TO
WITHDRAW HOLDING OF
ABANDONMENT
UNDER 37 CFR §1.181

This is a decision on the petition, filed December 1, 2004, requesting the Withdrawal of the Holding of Abandonment of the above-identified application under 37 CFR §1.181. This application was held abandoned for failure to file a timely response to the Office Action mailed on April 19, 2004. A Notice of Abandonment was mailed November 3, 2004.

The petition is **GRANTED**.

In support of the petition, Petitioner provides a copy of: (a) an amendment filed in response to the Office action of mail date April 19, 2004 and a check to cover a one-month extension of time (\$110.00); (b) a Transmittal Form bearing a Certificate of Mailing signed by Scott A. Ouellette dated July 28, 2004, and a copy of the postcard identifying the papers filed showing the USPTO receipt stamp dated July 30, 2004.

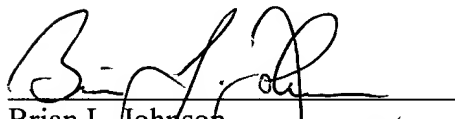
M.P.E.P. § 503 states:

A post card receipt which itemizes and properly identifies the items which are being filed serves as *prima facie* evidence of receipt in the USPTO of all the items listed thereon on the date stamped thereon by the USPTO.

In addition to meeting the requirement as stated above, the Office records also show that the check was processed on July 30, 2004. Thus, Petitioner has established that a response was filed on July 30, 2004 with the requisite fees for a one-month extension of time necessary for the response to be considered timely. The Office regrets any inconveniences this may have caused the Applicants.

Accordingly, the petition is **GRANTED**. The Notice of Abandonment is **VACATED**.

The application file is being forwarded to the technical support staff to **WITHDRAW** the holding of abandonment, and to process of the amendment filed July 30, 2004. Subsequently, the file will be forwarded to the examiner for consideration of the response.


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SDL: 05/02/05